

# SAMPLE LANDSCAPE CONTRACT LANGUAGE

## GENERAL

Proper landscape maintenance sustains the quality and health of a landscaped area and preserves the intended design concept. Landscaping is intended to provide overall aesthetically pleasing appearance for the community.

Plants are chosen for their natural shape and growth habit. All cultural practices should encourage and enhance the natural form of the plant material. Trimming and pruning should not alter this form appreciably.

The following is to serve as required specifications and to provide guidance in the maintenance of the areas which fall under the Maintenance and Operation Contract.

## TREES

### A. Staking

1. The purpose of staking trees is to support and protect young trees until they are able to stand alone.
2. All tree stakes and ties shall be maintained to properly support the tree. They shall be inspected a minimum of once every 60 days to prevent girdling or chafing of trunks or branches or rubbing which may cause bark wounds.
3. Stakes should not remain on trees for longer than a one year period.

### B. Pruning

1. All trees shall be allowed to grow to their natural genetic form and size, unless specifically excepted.
2. All trees shall be pruned to promote structural strength and to accentuate the natural form and features of the tree.
3. Pruning must be carried out to permit unobstructed passage to pedestrians and motor vehicles and to prevent sight restrictions near intersections. This means that branches should be maintained to 7-1/2 ft. above sidewalks and 12 ft. above vehicular areas. Shrubs and groundcover must be trimmed 4 in. from sidewalks and curbs.
4. Stripping of lower branches ("raising up") of young trees shall not be permitted. Lower branches shall be retained in a "tipped back" or pinched condition with as much foliage as possible to promote trunk caliper. Lower branches should be cut off only after the tree is able to stand erect without staking or other support.
5. Thinning of certain species and individual specimens may be required to prevent wind damage. Suckers, water sprouts, rubbing and heavily laden branches shall be removed to provide less wind resistance.
6. Palm trees shall be trimmed annually, May 15 through June 15, when the flower stalks have developed, but before flowering has occurred.

### C. Spraying

1. Olive trees shall be sprayed twice during the bloom period with "Olive Stop" to reduce fruiting. Apply product as per label.

D. Fertilization

1. Most trees shall be fertilized annually, in the spring, with a complete fertilizer. Fertilization of mature trees shall be required only if the trees show a definite need for fertilization.
2. Fertilizer shall be applied around the tree, approximately halfway between the trunk and the dripline, at the rate of one-half pound of nitrogen per inch of trunk diameter measured at four feet above the soil surface.
3. All trees shall be observed for signs of nutrient deficiencies and treated to correct deficiencies throughout the year.

**SHRUBS AND VINES**

A. Pruning

1. Shrubs and vines shall be pruned to maintain growth within space limitations, to maintain or enhance the natural growth habit, or to eliminate diseased or damaged growth. Some species shall be trimmed appropriately to influence flowering and fruiting, or to improve vigor.
2. Shrubs and vines must be trimmed as needed to permit unobstructed passage to residents or vehicles. Trimming near vehicular entry or exits shall be carried out to prevent sight restrictions.
3. Shrubs shall be pruned to conform with the design concept of the landscape. Individual shrubs shall not be clipped into balled or boxed forms, except where specifically instructed.
4. Vines shall be pruned to control growth and direction, and shall not be allowed to grow over windows, doors or other structural features, unless directed by a representative of the Manager/Owner. Vines shall not be allowed to grow over the crowns of shrubs or trees.

B. Fertilization

1. Most shrubs and vines should be fertilized annually. Plants that have reached maturity may not require annual fertilization.
2. All actively growing plants, not yet at maturity, shall be fertilized yearly during the months of February through March. Apply an appropriate slow-release, long lasting complete fertilizer, controlled release fertilizer, or plant tablets at the manufacturer's recommended application rate.
3. All plants shall be observed for signs of nutrient deficiencies and treated to correct deficiencies throughout the year. Nutrient deficiency shall be brought to the attention of the Manager/Owner and properly identified prior to treatment.

**GROUND COVERS**

A. Trimming

1. Established ground covers bordering sidewalks or curbs shall be edged as often as necessary to prevent encroachment.
2. Ground covers shall not be allowed to touch or cover the crowns of shrubs and trees.
3. Some ground covers may require cutting back to remove woody growth and promote vigor. This shall be performed at the direction of the Manager/Owner.

B. Fertilization

Fertilization shall coincide with the growing season of each specific ground cover. One application of a complete fertilizer in the spring, per manufacturer's recommended rate, adequate for established ground covers.

**TURF AREAS (LAWNS)**

A. Mowing

1. Lawns shall be mowed weekly during the growing season and as required during the winter months.
2. The height of cutting shall be maintained consistently to prevent scalping or burn. The mowing height shall be appropriate to the turf species.
3. Excessive grass clippings shall be collected and disposed of. Adjacent sidewalks and streets shall be clean of clippings.
4. Mowing patterns shall be alternated each week to avoid creating ruts and compaction.

B. Edging

1. All lawn edges along sidewalks and curbs shall be edged before each mowing during the active growing season (March through October) and as required for appearance for the remainder of the year.
2. Edging shall be performed with a blade type mechanical edger. The cut edge should appear as a clean, straight line.
3. A monofilament line trimmer shall be used to trim around obstacles within the lawn area. Care shall be taken to insure that the bark of trees and shrubs are not damaged or stripped by the line trimmer.
4. Lawn sprinkler heads shall only be edged to allow for proper distribution of water.

C. Fertilization

1. April 1 to April 15: apply granular fertilizer 12-12-12 at a rate of 1 pound actual nitrogen per 1000 square feet. This rate is 8.5 lbs. Per 1000 sq. ft. or 365 lbs. per acre.
2. May 15 to May 31: apply granular fertilizer 21-0-0 ammonium sulphate at a rate of one-half pound of nitrogen per 1000 square feet. This rate is 2.4 lbs. per 1000 sq. ft. or 1051 lbs. per acre.
3. July 1 to July 15: apply granular fertilizer 32-0-0 ammonium nitrate at a rate of one-half pound actual nitrogen per 1000 square feet. Rate 1.6 lbs. per 1000 sq. ft. or 68 lbs. per acre.
4. September 1 to September 15: apply granular fertilizer 16-16-16 at a rate of one pound of nitrogen per 1000 square feet. Rate 6.2 lbs. per 1000 sq. ft. or 275 lbs. per acre.

**DISEASE AND PEST CONTROL**

- A. All chemical controls must be applied under the supervision of a licensed and qualified pest control applicator, following the procedures set forth in the labeling of the product, as required by law.
- B. Healthy plants and lawns should be able to withstand minor disease and insect damage without controls. Routine application of pesticides shall not be practiced, as this destroys natural predator-prey relationships in the environment.

1. Where usually high infestations or infections occur, an accurate identification of the disease or insect shall be made and the control selected with care, prior to application.
2. The Manager/Owner shall be provided with the labeling for each pesticide used before the product is applied.
3. Gophers shall be trapped or controlled with approved baits.

## **WEED CONTROL**

### **A. Pre-Emergent Control**

1. All areas dressed with decomposed granite or natural ground shall be treated with pre-emergent herbicide twice yearly: in spring between February 15 and March 15, and in fall between October 15 and November 15. The pre-emergent must receive 0.511 of rain or be watered in within 10 days of application.
2. Areas seeded with wild-flowers shall be identified by the Manger/Owner and shall not be treated with pre-emergent herbicide.

### **B. Post Emergent Control**

1. All areas shall be kept free of weeds. Chemical and/or mechanical means may be used as appropriate. If any weeding is not performed, maintenance will be considered unsatisfactory.
2. Before applying herbicides, the type of weed shall be identified and the control selected accordingly, using the most effective control for the species, the location and the season.
3. Weeds shall not be allowed to grow in paved areas such as driveways, walks, curbs, gutters, etc. Weeds may be removed manually or sprayed with a herbicide. Dead weeds shall be removed from the paved areas.
4. The manager/owner shall be provided with the labeling (MSDS) for each herbicide proposed before the product is applied.
5. Post emergent shall be sprayed at the manufacturer's recommended rates.
6. Weeds shall be controlled in turf areas. Mowing is not an acceptable method for weed control.

## **DEBRIS REMOVAL**

- A. Litter and trash including leaves, rubbish, paper, bottles, cans, rocks, gravel, and other debris shall be removed from all areas on a weekly basis.
- B. All refuse resulting from the maintenance operation of properties shall be disposed of at locations designated by the Manager/Owner.
- C. Hardscape (i.e. sidewalks, patios, driveways) shall be swept or blown free of debris weekly.

## **SURFACES**

- A. All areas dressed with decomposed granite shall be raked as needed, but not less than once every four (4) weeks.
- B. All soil shall be regraded, as necessary, on a weekly basis.
- C. Paved sidewalks, medians, bike-paths and patio areas shall be swept or blown off with a power blower on a weekly basis.

## **IRRIGATION**

- A. The irrigation shall be operated at an appropriate seasonal schedule, using the least amount of water necessary to maintain the growth, health, and vigor of all landscape plant materials.
- B. Irrigation controllers shall be re-programmed at a minimum of once monthly in order to match plant material water needs to the irrigation applied.
- C. The contractor shall maintain a log of current sprinkler station times. A copy of the log shall be given to the Manager/Owner after routine inspection. The log shall include, but is not limited to:
  - 1. Controller location
  - 2. Scheduled days to run
  - 3. Start times
  - 4. Station location
  - 5. Each station's run time
  - 6. End time
  - 7. Contractor's employee initial and date
- D. The contractor is required to employ the necessary qualified irrigation technician(s) to maintain and repair all irrigation systems on the property. The contractor shall maintain a reasonable inventory of commonly required repair parts on the service vehicle in order to facilitate prompt irrigation system repairs.
- E. Irrigation repairs shall be made with the same brand, make, and model of component where the use of a different part will adversely affect the system efficiency (i.e. sprinkler heads and emitters).
- F. When a sufficient amount of rainfall has occurred, the contractor will turn off the irrigation system until it is necessary to water again. A properly adjusted automatic rain shut off device may be used for this purpose.
- G. Irrigation and sprinkling will be performed by contractor, as well as all maintenance of irrigation systems.
- H. Repairs to sprinkler equipment damaged by mowers or equipment operated by the contractor shall be the responsibility of the contractor, at no cost to the owner. If repair work is not accomplished in a timely manner, Manager/Owner shall have work completed and deduct loss from monthly payment.
- I. Perform sprinkler check/inspection after each mowing.
- J. Report and flag all water leaks and/or system malfunctions to the Manager/Owner.

## **REPLANTING AND EXTRA WORK**

- A. Plant material which dies through the fault or neglect of the contractor, or due to preventable circumstances, shall be replaced with a specimen of the same species and of equal or similar size as the plant lost, at no cost to the owner. This must be coordinated with the Manager/Owner.